King County	Department of Adult and Juvenile Detention All Divisions General Policy Manual	
	Chapter 4 **Security & Use of Force**	
4.03.010, Sexual Abuse Incident Review Committee	Approved By:	Deputy Director Hikari Tamura
	Effective Date:	September 08, 2022
	Reviewed By:	PRC
	Review Date:	August 25, 2022
Distribution:	Document Code No.	

Purpose

To establish and provide guidelines for reviewing investigations into allegations of sexual abuse and recommending changes to policy, procedure or training as warranted.

Policy

It is the policy of the department to establish a Sexual Abuse Incident Review Committee (SAIRC) to review investigations of alleged sexual abuse and determine whether changes to policy or practice are needed to better prevent, detect or respond to sexual abuse.

References

Federal:	The Prison Rape Elimination Act (PREA) of 2003, P.L. 108-79
RCW:	9A.44.160 Custodial Sexual Misconduct in the 1st degree 9A.44.170 Custodial Sexual Misconduct in the 2nd degree
Department Policy:	4.01.021, Evidence Collection and Storage 6.04.001, Prison Rape Elimination Act (PREA)
JHS Policy:	J-F-06 Response to Sexual Abuse
Memorandum Of Understanding (MOU):	Kent Police Department (KPD) Seattle Police Department (SPD)
Other:	Garrity v. N.J., 385 U.S. 493 (1967)

A. General Guidelines

1. The SAIRC shall conduct an administrative review of all sexual abuse investigations, including when the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
2. Reviews shall ordinarily occur within 30 days of the conclusion of the investigation.

3. The SAIRC shall prepare a report of its findings and make recommendations for improvement based on the Review Criteria in Section B to better prevent, detect or respond to sexual abuse. The report shall be submitted to the Director and the PREA compliance manager.
4. The SAIRC specifically shall not investigate, recommend discipline, or recommend Letters of Corrective Counseling for employees. This process shall be managed via the Chain of Command and/or the Internal Investigations Unit (IIU).
5. The SAIRC may recommend informal coaching, counseling, or additional training for employees in order to improve performance.
6. The SAIRC shall consult, and may invite representatives of the Training Unit, IIU, and Jail Health Service (JHS), as necessary to review sexual abuse incidents/allegations and implement the SAIRC recommendations.
7. The SAIRC shall be composed of members who were not involved in the alleged sexual abuse and include upper-level management officials, with input from line supervisors, investigators and medical or mental health practitioners.
8. The Director or Deputy Director may choose additional members.
9. Meetings shall commence when the following quorum requirements are met:
    a. Representative from Investigations (IIU Commander or designee)
    b. Representative from Facility where incident(s) allegedly occurred (Facility Commander/Division Director, Major/Deputy Division Director/Chief of Operations, PREA Compliance Manager, or designee)
    c. Representative from Management (Deputy Director or designee)
    d. Representative from Medical/Mental Health (Medical Director or designee)
    e. PREA Coordinator (or designee)

B. Review Criteria

1. During its investigation, the SAIRC shall:
    a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
    b. Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, sexual orientation, transgender or intersex identification, status, or perceived status, gang affiliation, or other group dynamics at the facility.
    c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
    d. Assess the adequacy of staffing levels in that area during different shifts.
    e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

C. IIU's Responsibilities

1. IIU shall investigate or contact local law enforcement agency per MOU for all sexual abuse incidents/allegations with the exception of "Inmate vs. Inmate" and/or "Detainee vs. Detainee".

2. IIU shall forward the investigation and other pertinent information to the PREA Coordinator within 30 days of the conclusion of the investigation.
3. IIU shall forward the Sexual Abuse Incident Review agenda to the SAIRC members at least seven (7) days in advance of the review.
4. IIU shall prepare and maintain a report of all sexual abuse incidents/allegations to include the following information:
   a. Findings of sexual abuse incidents/allegations
   b. Actions taken by the department
   c. Operational changes made (if any)
   d. Reason(s) why the incident/allegation was/was not reviewed by the SAIRC.
5. IIU shall submit the report of sexual abuse incidents/allegations to the PREA Coordinator at least seven (7) days in advance to the review.

D. PREA Coordinator's Responsibilities

1. The PREA Coordinator shall prepare a report based on the SAIRC's findings and recommendations and submit it to the Facility Commanders and PREA Compliance Managers within five (5) working days of the conclusion of the SAIRC meeting.
2. If there is any follow up required, the PREA Coordinator shall ensure such action is completed.